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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

| | | |
|----------------------------|---|-------------------|
| BOZA PLEASANT-BEY, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | No. 3:19-cv-00486 |
| |) | |
| |) | |
| STATE OF TENNESSEE, ET AL, |) | |
| |) | |
| Defendants. |) | |

The Deposition of: ROBERT HILL
 July 12, 2021

JANIE W. GARLAND
Briggs & Associates
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Nashville, Tennessee 37201
(615) 714-5350

1 The deposition of ROBERT HILL was taken by
2 counsel for the Plaintiff, by notice, via Zoom, on
3 July 12, 2021, pursuant to the provisions of the
4 Federal Rules of Civil Procedure.

5 All formalities as to notice, caption,
6 certificate, reading and signing of the deposition
7 are waived. All objections, except as to the form of
8 the questions, are reserved to the hearing.

9 **APPEARANCES:**

10 For the Plaintiff: Tricia Herzfeld
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1 ROBERT HILL,

2 having been first duly sworn, testified as follows:

3 EXAMINATION BY MS. HERZFELD:

4 Q. Mr. Hill, my name is Tricia Herzfeld, and
5 I represent Mr. Pleasant-Bey who is the plaintiff in
6 this case. Are you familiar with the allegations in
7 the complaint in this case?

8 A. I've been briefed on it, yes.

9 Q. Okay. Great. And what is your
10 understanding of what claims are at issue in this
11 case?

12 A. Well, it's about religious properties, as
13 well as his diet, and so I've read the case file,
14 yes.

15 Q. And what was in the case file that you
16 read?

17 A. It was about his Khuff's (phonetic) and
18 about his religious diet there at Trousdale Turner.

19 Q. Okay. What documents did you read?

20 A. I couldn't hear you. Can you say that
21 again?

22 Q. Which documents did you read?

23 A. The official complaint that was filed.

24 Q. Did you read any other documents?

25 A. Just the official complaint.

1 Q. Besides the official complaint, did you
2 read anything else?

3 A. I did read some of his religious -- prior
4 complaints, yes.

5 Q. Would those be court complaints or
6 grievances?

7 A. Grievances.

8 Q. What were those grievances about?

9 A. It was still concurrent with his religious
10 properties, as well as his religious diet.

11 Q. And did you find that document yourself or
12 did your counsel provide them for you?

13 A. It was provided by counsel.

14 Q. And other than the grievances and the
15 official complaint, was there anything else that you
16 reviewed for today's deposition?

17 A. No.

18 Q. Okay. And who did you meet with about
19 your testimony today?

20 A. Thomas Aumann.

21 Q. Anybody else?

22 A. And Nikki Hashemian, I think is the last
23 name.

24 Q. Okay. Anybody else?

25 A. I did brief TDOC attorneys, staff

1 attorney, Holly Troutman, as well as Drummond.

2 Q. Anybody else?

3 A. No.

4 Q. And how long did you meet with Mr. Aumann?

5 A. Probably an hour.

6 Q. And when did you meet with him?

7 A. Friday.

8 Q. And are you present in the same room

9 today?

10 A. No.

11 Q. Okay. Do you understand that you're here
12 giving testimony on behalf of the Department today?

13 A. Yes.

14 Q. Okay. And you -- I'm sorry. Can you hear
15 me? I think there is a little feedback.

16 A. Yes, I can hear you.

17 Q. Okay. If we hear the feedback again, I
18 guess we'll figure out where it lies.

19 Have you ever given a deposition before,
20 Mr. Hill?

21 A. Yes.

22 Q. Okay. And how often?

23 A. Probably once a year for my previous job.

24 Q. I'm sorry, I couldn't hear you.

25 A. Maybe once a year for my previous job.

1 Q. Okay. And what was your previous job?

2 A. I was executive director for Shelby County
3 Government.

4 Q. And when did you leave employment with
5 Shelby County Government?

6 A. August 30 of 2018.

7 MS. HERZFELD: I'm going to stop for just
8 one second, if we can go off the record. I'm trying
9 to figure out where the feedback is.

10 (Off-the-record discussion held.)

11 BY MS. HERZFELD:

12 Q. Back on the record and we'll try it again,
13 Mr. Hill, okay?

14 A. Yes.

15 Q. Great. So you said you were executive
16 director for Shelby County Government?

17 A. Yes.

18 Q. Okay. And how long were you in that
19 position?

20 A. For eight and a half years.

21 Q. And what did you do in that position?

22 A. Legislative Affairs and Budgetary Concerns
23 for Shelby County Government.

24 Q. Okay. Were you reading something when you
25 just answered me that question?

1 A. No. I was opening up a cough drop just in
2 case I started coughing.

3 Q. Are you sick? Are you feeling sick today,
4 sir?

5 A. No. No, I'm fine.

6 Q. Okay. Very good. Okay. And then when
7 you left Shelby County Government, did you come
8 directly to work for TDOC?

9 A. No. I took a year off, and then I started
10 employment on August 1st, 2019 with TDOC.

11 Q. Okay. What did you do during your year
12 off?

13 A. Went back into real estate.

14 Q. Was that good?

15 A. Yes.

16 Q. Very good. And why did you leave
17 employment with Shelby County?

18 A. My term was up. We serve at the will and
19 pleasure of the elected officials.

20 Q. Someone else comes in and everything
21 changes?

22 A. It does.

23 Q. Okay. Very good. Did I hear someone
24 refer to you as reverend earlier?

25 A. Yes.

1 Q. How long have you been a pastor, sir?

2 A. I've been a minister now 32 years.

3 Q. And do you have any special training or
4 did you come up through your church?

5 A. I have a doctorate of divinity. I'm
6 ordained.

7 Q. And where is your doctorate of divinity
8 from?

9 A. From Saint Thomas.

10 Q. And you were ordained by the church?

11 A. I was ordained by the Baptist church in
12 1992, Pilgrim Rest Baptist Church in Memphis,
13 Tennessee.

14 Q. Very good. So I should refer to you as
15 reverend; is that okay?

16 A. Well, I'm indifferent to what you refer to
17 me just as long you don't call me late for lunch.

18 Q. I will not call you late for lunch. I
19 promise you to do that. Very good.

20 In this case, my understanding is you have
21 had some role, and you can correct me if I'm wrong,
22 but my understanding is you've had some role in
23 making determination of whether the supplies that
24 are available at Union Supply meet various religious
25 requirements. Am I right in that understanding?

1 A. Yes and no. My tenure here, Union Supply
2 and Access Supply was already established.

3 Q. Okay.

4 A. So there has not been any changes since
5 I've been here.

6 Q. Okay. And are you the person for TDOC
7 that communicates with Union Supply?

8 A. No. Our wardens and our chaplains
9 individually order from Union Supply, based upon the
10 inmates' needs.

11 Q. Okay. So do you know why you've been
12 called to testify today then?

13 A. Well, I think this is probably just the
14 way the cookie crumbles. This fell before my tenure
15 here.

16 Q. What fell before your tenure, this case?

17 A. Yes.

18 Q. Okay. So in this case, I think there was
19 an issue about whether or not a prayer oil that Mr.
20 Pleasant-Bey is getting from Union Supply, if it is
21 appropriately blessed by someone before it is
22 shipped from Union Supply. Do you have any
23 information as to that process?

24 A. I'm not familiar with the process itself.
25 I am familiar with TDOC policy that states that the

1 oil cannot be flammable, but most of the oils that
2 are contained in the catalog should be blessed by
3 Imam or by a Rabbi or by, if it's Catholicism, by a
4 priest.

5 Q. Do you have any information about whether
6 the oil that is sold by Union Supply that the -- the
7 Muslim oil, the oil for Muslim inmates if that is
8 indeed blessed by an Imam?

9 A. I would assume that it should be.

10 Q. Do you have any actual knowledge as to
11 whether it is or is not?

12 A. I do not.

13 Q. What about Muslim prayer socks, do you
14 have any information about Muslim prayer socks?

15 A. I would waiver to say that should be
16 permissible as long as they don't cause a safety
17 concern with the inmate or other inmates at the
18 facility.

19 Q. Okay. Do you know anything about the
20 approval or denial of prayer socks for Mr.
21 Pleasant-Bey?

22 A. Only from what I've read in the case file.

23 Q. Okay. But you don't have any information
24 about that with your position at TDOC?

25 A. No.

1 Q. Okay. What about his access to religious
2 meals, does any of that come within your purview at
3 TDOC?

4 A. Most of that comes from the chaplain
5 ordering the meals and then submitting those meals
6 to our food services director, Monique Taylor.

7 Q. Okay. And who would be the person at TDOC
8 who is responsible for ensuring that the prayer oil
9 that's received from Union Supply is actually
10 blessed by an Imam?

11 A. Should come from our inspector general's
12 office when they are taking applications or
13 submissions of bids for supplies for TDOC. More
14 than likely, that would probably fall with somebody
15 like Deborah Barron with the inspector general's
16 office.

17 Q. Would it surprise you to know that when we
18 deposed the inspector general's office, they said
19 you would be the one that would know whether or not
20 the prayer oil was blessed by an Imam at Union
21 Supply?

22 A. Welcome to government service.

23 Q. Everybody thinks somebody else has it,
24 yes? Sir?

25 A. Say that again, Attorney.

1 Q. Everybody else thinks that someone else
2 has the responsibility, is that what you meant?

3 A. Well, just part of governmental affairs, I
4 assume, but I have no jurisdiction over the catalog
5 itself or the supplies, since it was already issued
6 via contract prior to me.

7 Q. Okay. So what exactly is your position,
8 what are you responsible for at TDOC?

9 A. I'm responsible for volunteer and
10 religious services, criminal background,
11 volunteerism itself. I do not have any direct
12 jurisdiction over any chaplains. That falls under
13 the privy of the wardens. Other than to reiterate
14 the policies we have in place through TDOC and to
15 try to invoke training based upon those policies to
16 ensure everyone is up to speed.

17 Q. So in your capacity as supervisor of
18 volunteer and religious services, do you have
19 anything to do with volunteers being able to bring
20 meals into prisons to celebrate particular religious
21 holidays and feasts?

22 A. Well, other than what is implemented in
23 policy, we do have a policy in place currently that
24 we don't do religious feasts. We reference them as
25 religious meals to every religious group now have

1 the privy to have two religious meals. Since
2 Christians technically do not have a feast, they
3 celebrate Easter and Christmas, so to make it
4 applicable for everyone, we have decided to allow
5 two religious meals.

6 Q. When did that start?

7 A. That started maybe a year ago.

8 Q. Okay. That would apply to meals for
9 Muslim inmates like Mr. Pleasant-Bey?

10 A. Yes.

11 Q. And what is included in religious meals
12 for Muslims; do you know?

13 A. Well, we have the seder plates, you have
14 the Halal diet, which goes through more than likely
15 for Trinity Foods, and then we have Aramark for
16 TDOC.

17 Q. And who is responsible for ensuring that
18 the meal put forth by Trinity Foods is compliant
19 with the Muslim faith?

20 A. Our dietician, Monique Taylor.

21 Q. What is Monique -- she's the dietitian?

22 A. Yes.

23 Q. You mentioned Deborah before, who is
24 Deborah? Deborah's last name?

25 A. (Technical interruption.) Deborah Barron,

1 B-A-R-R-O-N is the (Technical interruption.)

2 (Court Reporter asks for clarification.)

3 BY MS. HERZFELD:

4 Q. We heard Deborah Barron, could you repeat
5 your answer?

6 A. Can you hear me?

7 Q. We can hear you now. Can you hear us?

8 A. I can.

9 Q. Okay. Great. The last thing we heard was
10 Deborah Barron.

11 A. Yes. With the inspector general's office.

12 Q. Okay. Lovely. Do you have any other
13 information about any other allegations within the
14 complaint here?

15 A. None other than what I read in the
16 complaint.

17 Q. Okay. And do you have any information
18 that could shed light on any of his allegations that
19 have to do with religion?

20 MR. AUMANN: Objection. You can go ahead
21 and answer.

22 THE WITNESS: No. All of -- when we have
23 religious meals being served at TDOC, they are
24 offered to all the inmates that's part of their
25 religious activities and religious celebrations, so

1 in most cases, a roll call, so to speak, for those
2 who would like to participate in the meal, and then
3 those meals are counted for all inmates who would
4 like to participate in the religious meal.

5 BY MS. HERZFELD:

6 Q. Okay. So I want to make sure that I
7 understand that correctly. So if I'm a Christian
8 and there happens to be a Halal meal that day and I
9 want to have it, I can have it; is that right?

10 A. That's correct.

11 Q. Well, I really thought you were going to
12 have information about the prayer oil and Union
13 Supply, so considering that that's not really within
14 your purview, I don't think I have any other
15 questions for you today. Anyone else?

16 MR. WELBORN: I may have a question or
17 two. Let me take a break real quick. This may be
18 two or three minutes, so won't be long.

19 (Brief break observed.)

20 EXAMINATION BY MR. WELBORN:

21 Q. Hi, Mr. Hill, my name is Joe Welborn, and
22 I represent CoreCivic along with my partner Erin
23 Polly. I Just have a couple of questions for you.

24 You talked about the TDOC policy on, I
25 think you called them religious meals as opposed to

1 feasts?

2 A. Yes.

3 Q. Do you know whether Trousdale is excepted
4 from that policy, Trousdale Turner?

5 A. All CoreCivic facilities that operate in
6 the State of Tennessee should fall under TDOC's
7 policy as its main policy.

8 Q. Do you know whether there are exceptions
9 to TDOC policies at certain CoreCivic facilities
10 including Trousdale?

11 A. I'm not aware of it.

12 Q. So you don't know whether the religious
13 meal policy applies at Trousdale or not?

14 MS. HERZFELD: Object to the form.

15 MR. WELBORN: You can answer.

16 THE WITNESS: I waiver to say -- I don't
17 want to sound repetitive, but all facilities should
18 operate under TDOC's policy. I think maybe for
19 clarification, I know CoreCivic has a director of
20 volunteer religious services, which is James
21 Stogner, and he is included in our monthly chaplain
22 meetings, as well as CoreCivic. And from my
23 understanding from TDOC legal counsel, that it is
24 applicable for all facilities to follow under TDOC's
25 policy.

1 BY MR. WELBORN:

2 Q. Have you reviewed --

3 MR. AUMANN: Joe, can you hang on a
4 second. I tried to jump in and forgot to unmute.

5 So, Mr. Hill, just to be clear, any
6 conversations with your legal counsel are
7 attorney-client privilege, so just be aware of that,
8 okay?

9 THE WITNESS: Thank you.

10 BY MR. WELBORN:

11 Q. Mr. Hill, have you, in preparing for your
12 deposition, have you reviewed the contract that
13 CoreCivic has with Trousdale?

14 A. I have not, no.

15 Q. So if there are TDOC policies, including
16 religious policies that are accepted where
17 CoreCivic's policies applies opposed to TDOC
18 policies applied in certain situations, you would
19 not know that, correct?

20 MS. HERZFELD: Object to the form.

21 THE WITNESS: Do I need to answer that?

22 BY MR. WELBORN:

23 Q. Yes.

24 A. Yes. We have a contract monitor for
25 CoreCivic, and the contract monitor would be better

1 served to perhaps answer that to be more explicit of
2 what's in the contractual agreement between TDOC and
3 CoreCivic.

4 MR. WELBORN: That's all I have. Thank
5 you.

6 MR. AUMANN: We don't have anything on the
7 TDOC defendant's end.

8 MS. HERZFELD: I think that's it.
9 Reverend Hill, thanks so much for your time this
10 morning.

11 THE WITNESS: Thank you.

12 FURTHER THIS DEPONENT SAITH NOT

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1 REPORTER'S CERTIFICATION

2

3 STATE OF TENNESSEE)
4 COUNTY OF DAVIDSON)

5

6

7 I, Janie W. Garland, LCR#111, licensed court
8 reporter, in and for the State of Tennessee do hereby
9 certify that the above deposition was reported by me
10 via remote means and that the foregoing pages of the
11 transcript is a true and accurate record to the best
12 of my knowledge, skills, and ability.

13

14 I further certify that I am not related to nor
15 an employee of counsel or any of the parties to the
16 action, nor am I in any way financially interested in
17 the outcome of this case.

18

19 I further certify that I am duly licensed by the
20 Tennessee Board of Court Reporting as a Licensed
21 Court Reporter as evidenced by the LCR number
22 following my name below.

23

Janie W. Garland

24

Janie W. Garland, LCR#111

25

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